

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

In the Matter of:)	No. ED95909
)	
WILLIAM R. KNICHEL,)	Appeal from the Circuit Court
)	of the City of St. Louis
)	
)	
)	Hon. David L. Dowd
)	
)	
)	FILED: August 16, 2011

Charles Amen and his law firm, Purcell & Amen, appeal the judgment of the probate division of the circuit court resolving a dispute over the trust assets of decedent William Knichel between Knichel's companion, Anita Madsen, and his children, Meghan and Joshua Knichel. Appellant asserts that there is insufficient evidence in the record to find that he breached his fiduciary duty to the children, and that the trial court abused its discretion by striking a trust provision granting him broad powers of administration.

Madsen does not challenge the trial court's judgment, and the children have filed a motion to dismiss the appeal on the basis that Appellant lacks standing for want of a justiciable grievance. Appellant counters that his removal as special co-trustee as well as the potential revocation of his professional licenses are harms that constitute a grievance ripe for appeal.

DISMISSED.

DIVISION ONE HOLDS: Section 512.020 grants a right of appeal to "any party to a suit aggrieved by any judgment of any trial court in any civil cause." A party is "aggrieved" when the judgment operates prejudicially and directly on his personal or property rights or interest. Appellant's designation as special co-trustee and his expectation of corresponding fees are not a vested financial interest in Knichel's trust assets. And potential, collateral professional consequences of a fiduciary breach as a service provider also do not constitute a pecuniary interest directly affected by the probate court's judgment. In short, Missouri law does not recognize Appellant's self-interested grievances as a legal basis for standing to appeal. As such, his appeal must be dismissed.

Opinion by: Clifford H. Ahrens, J. Roy L. Richter, J., and Gary M. Gaertner Jr., J., concur.

Attorney for Appellant: Paul M. Gantner

Attorney for Respondent: Monnye R. Gross and Richard A. Wier

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT.
IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND
SHOULD NOT BE QUOTED OR CITED.**